

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

vs.

22-CR-6009-CJS-MJP

JOHN LOONEY,

Defendant

**MOTION FOR EXTENSION OF TIME TO FILE OBJECTIONS TO
MAGISTRATE'S REPORT AND RECOMMENDATION**

COMES NOW defendant, by counsel, James A. Napier, Esq., and moves the Court for its Order extending the time within which defendant may file objections to the Report and Recommendation dated September 29, 2023 by United States Magistrate Judge, Mark W. Pedersen.

In support thereof, defendant states that:

1. The Report and Recommendation of the magistrate was provided to counsel on September 29, 2023, making objections to the Report and Recommendation due on or about October 13, 2023.
2. Counsel had an opportunity to discuss the Report and Recommendations with the defendant in person on October 3, 2023.
3. As this Court can see based on the length of the Report and Recommendation and the length of previous pleadings submitted to the magistrate, and the multiple argument dates, the legal issues involved here are rather complicated.

4. Given my schedule this October and the need to consult with Bonnie Burkhardt, who assisted Counsel with the Privacy Rights argument, and the need to thoroughly review the legal analysis of the Magistrate, I would request until October 31, 2023 to complete necessary research, which is on-going, to submit any Objections to the Report and Recommendation.

WHEREFORE, defendant moves Court for its Order extending the time within which he may file his objections to the Report and Recommendation of the magistrate until October 31, 2023.

/s/ James A. Napier, Esq

James A. Napier, Esq.

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